Appl. No.

10/042,775

Filed

January 8, 2002

Response to

Office Action dated March 18, 2005

## AMENDMENTS TO THE CLAIMS

Please add new Claims 37-43. Please cancel Claims 17-19, 21, and 32-36.

1. (previously presented) A method for recombinantly producing functional ataxiatelangiectasia (ATM) protein, comprising:

providing a viral vector comprising a cDNA encoding the ATM protein operably linked to a promoter;

infecting ATM deficient mammalian L3 cells with said viral vector, wherein said mammalian L3 cells are thereby made to produce functional ATM protein; and

isolating said functional ATM protein produced by said mammalian L3 cells.

- 2. (previously presented) The method of Claim 1, wherein said viral vector comprising a cDNA encoding the ATM protein operably linked to a promoter is a vaccinia viral vector.
  - 3. (cancelled)
  - 4. (cancelled)
- 5. (original) The method of Claim 1, wherein said promoter is a synthetic early/late viral promoter.
  - 6. (cancelled)
  - 7. (cancelled)
  - 8. (cancelled)
  - (cancelled)
- 10. (previously presented) The method of Claim 1, further wherein said ATM-deficient mammalian L3 cells producing said functional ATM protein exhibit regain of ATM function.
- 11. (original) The method of Claim 1 wherein isolating said functional ATM protein comprises binding an anti-ATM antibody to said ATM protein.
- 12. (previously presented) The method of Claim 1, where said cDNA encoding the ATM protein is modified to comprise a FLAG epitope.

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- 13. (original) The method of Claim 12, wherein isolating said functional ATM protein comprises binding an antibody specific for the FLAG epitop 3 to said ATM protein.
  - 14. (cancelled)
- 15. (original) The method of Claim I, further wherein said functional ATM protein is capable of phosphorylating ATM substrates.
- 16. (original) The method of Claim 15, wherein said substrates comprise p53 and PHAS-1.

17-36. (cancelled)

37. (new) A method for recombinantly producing functional ataxia-telangiectasia (ATM) protein, comprising:

providing a vaccinia viral vector comprising a cDNA encoding the ATM protein operably linked to a promoter;

infecting HeLa cells with said vaccinia vi al vector, wherein said HeLa cells are made to express said cDNA and thereby produce functional ATM protein; and

isolating said functional ATM protein produced by said HeLa cells.

- 38. (new) The method of Claim 37, wherein said promoter is a synthetic early/late viral promoter.
- 39. (new) The method of Claim 37 wherein isolating said functional ATM protein comprises binding an anti-ATM antibody to said ATM protein.
- 40. (new) The method of Claim 37, where said cDNA encoding the ATM protein is modified to comprise a FLAG epitope.
- 41. (new) The method of Claim 40, wherein isolating said functional ATM protein comprises binding an antibody specific for the FLAG epitope to said ATM protein.
- 42. (new) The method of Claim 37, wherein said functional ATM protein is capable of phosphorylating ATM substrates.
- 43. (new) The method of Claim 42, wherein said substrates comprise p53 and PHAS-1.